

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-11093

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT April 14, 2008 THOMAS K. KAHN CLERK

D.C. Docket No. 04-00348-CR-T-24TGW

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

RONALD J. TRUCCHIO,
a.k.a. Ronnie One Arm,
STEVEN CATALANO,
TERRY L. SCAGLIONE,

Defendants–Appellants.

Appeals from the United States District Court
for the Middle District of Florida

(April 14, 2008)

Before BARKETT, FAY and STAPLETON,* Circuit Judges.

PER CURIAM:

Ronald Trucchio, Steven Catalano, and Terry Scaglione appeal from their convictions for racketeering conspiracy beginning in the fall of 1984, in violation of 18 U.S.C. § 1962(d). Scaglione also appeals from his conviction for conspiracy to commit extortion, in violation of 18 U.S.C. § 1951.

We have considered the record, the briefs of the parties, and the oral argument of counsel and find no reversible error. Based on the record in this case, we must reject the argument that the evidence presented was insufficient to support the convictions. We also find that the evidence presented was sufficient to permit a reasonable jury to conclude that Catalano was guilty of the single conspiracy charged in the indictment.

We find no error in the denial of Scaglione's Motion for Severance as Scaglione failed to show the requisite prejudice. We also cannot say that the district court abused its discretion by denying Trucchio's request for a continuance and accepting Trucchio's waiver of the right to counsel under the circumstances of this case. We also find no abuse of discretion in the admission of FBI Agent Gabriel's expert testimony and do not find a violation of the confrontation clause.

* Honorable Walter K. Stapleton, United States Circuit Judge for the Third Circuit, sitting by designation.

Finally, we reject the argument that there was an abuse of discretion in denying the Motion to Grant an Evidentiary Hearing to Investigate Potential Extrinsic Influence on the Jury. The allegations in this case were too speculative to support a claim that the jury verdict was tainted.

Accordingly, the convictions and sentences in this case are

AFFIRMED.